

Procedures for

Nominating Minor Party & Independent Candidates in Washington State



**Office of the
Secretary of State**

*Ralph Munro
Secretary of State*

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Introduction

Washington state has a tradition of actively encouraging its citizens to participate in our political system. The initiative and referendum process, the state voters' pamphlet and election notice advertising are just a few examples of our heritage of promoting citizen involvement in our system of government.

Please read this pamphlet carefully. It is intended to explain some of the major features of state election law relating to procedures for nominating minor party and independent candidates. It is not intended to be a substitute for the statutes governing this process but rather should be read in conjunction with them.

If you have questions or need additional information, please contact your County Auditor or Elections Department or the Secretary of State's Elections Division. We will be happy to assist you.

A handwritten signature in black ink, appearing to read "Ralph Munro". The signature is stylized with a large, looping "R" and "M".

RALPH MUNRO
Secretary of State

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Definitions

A **convention** is an organized assemblage of registered voters representing an independent candidate or a minor political party.

An **election jurisdiction** is the state or any political subdivision or jurisdiction of the state from which partisan officials are elected.

An **independent candidate** is a candidate for partisan political office who does not represent himself or herself as a member of either a major political party or a minor political party.

A **major political party** is a political party of which at least one nominee for President and Vice President of the United States, United States Senator, or a state-wide office received at least five percent (5%) of the total election vote cast at the last preceding state general election in an even-numbered year.

A **minor political party** is a political party which has nominated candidates for public office and for which no candidate for state-wide office received at least five percent (5%) of the vote at the last general election held in an even-numbered year.

A **nominating petition** is that document signed by a voter or group of voters supporting the nominations made at the minor party or independent candidate convention. Multiple petition sheets supporting the same minor party or independent candidate shall be considered a single nominating petition.

The **filing officer** is the Secretary of State if the nomination is made for an office in a district where voters from more than one county vote upon the office. It is the County Auditor (in King County, the Department of Records and Elections) if the office is in a district which is contained entirely within one county.

Primary means the nominating primary held for all partisan offices in the state except President and Vice President.

A **certificate of nomination** certifies that a candidate has been nominated by a minor party, or as an independent candidate, but does not include the nominating petitions.

A **supplemental nominating petition** is a document filed in lieu of the filing fee by a candidate who lacks adequate financial resources to pay the filing fee.

Nomination by Convention

Any independent or minor party candidate desiring to have his or her name placed on the ballot as a candidate for partisan public office at any regularly scheduled election may begin the qualification process by holding a nominating convention not earlier than the last Saturday in June and not later than the first Saturday in July.

Multiple Nominating Conventions

A minor political party or independent candidate may hold more than one convention but in no case shall any convention nominate more than one candidate for any one partisan public office or position.

For the purpose of nominating candidates for the office of President and Vice President, United States Senator, or a statewide office, a minor party or independent candidate holding multiple conventions may add together the number of signatures from each convention obtained in support of the candidate or candidates in order to obtain the two hundred (200) valid signatures required by RCW 29.24.030. However, none of the conventions may be attended by fewer than twenty-five (25) registered voters (see below and RCW 29.24.030).

For all other offices for which nominations are made, signatures of at least twenty-five (25) registered voters must be obtained at a single convention.

Requirements for a Valid Nominating Convention

To be valid, a convention must:

1. Have been called by a notice in a newspaper of general circulation, published in the county in which the convention is to be held, at least ten (10) days before the date of the convention. The notice must state the date, hour, and place the convention is to be held and must also include the mailing address of the person or organization sponsoring the convention (see sample Notice of Publication);
2. Be attended by *at least 25 registered voters* from the election jurisdiction for which nominations are to be made.

In order to nominate candidates for the offices of President and Vice President of the United States, United States Senator, or any state-wide office, a nominating convention must obtain and submit to the filing officer the signatures of at least two hundred (200) registered voters of the state of Washington. In order to nominate candidates for any other office, a nominating convention must obtain and submit to the filing officer the signatures of twenty-five (25) persons who are registered to vote in the jurisdiction of the office for which the nominations are made.

Certificate of Nomination: Content

A certificate of nomination must:

1. Be in writing;
2. Contain the name of each person nominated, his or her residence, and the office for which he or she is named, and if the nomination is for the offices of President and Vice President of the United States, a sworn statement from both nominees giving their consent to the nomination (see sample Consent to Nomination);
3. Identify the minor political party or the independent candidate on whose behalf the convention was held;
4. Be verified by the oath of the presiding officer and secretary;
5. Be accompanied by a nominating petition or petitions bearing the signatures and addresses of registered voters equal in number to that required by RCW 29.24.030.

NOTE: A nominating petition submitted to the filing officer must clearly identify the name of the minor party or independent candidate as it appears on the Statement of Nomination. The petition must also contain a statement that the person signing the petition is a registered voter of the jurisdiction for which nominations are made and must have a space for the voter to sign his or her name and to print his or her name and address. No person may sign more than one minor party or independent candidate nominating petition for the same office (see sample nominating petitions);

6. Contain proof of publication of the notice of calling the convention; and
7. Be submitted to the appropriate filing officer not later than one week following adjournment of the convention at which the nominations were made (see sample Statements of Nomination).

Certificate of Nomination: Where Filed

If the nominations are made only for offices whose jurisdiction is entirely within one county, the certificate and nominating petitions are to be filed with the County Auditor (in King County, the Department of Records and Elections).

If a minor party or independent candidate convention nominates *any* candidate for office in a jurisdiction where voters from more than one county vote upon the office, *all* nominating petitions and the convention certificates are to be filed with the Office of the

Secretary of State. If, for example, a candidate for statewide office and a candidate for a legislative district entirely within one county were nominated at the same convention, *all* material would be filed with the Office of the Secretary of State.

Presidential Electors

If a minor political party or independent candidate convention nominates candidates for the offices of President and Vice President of the United States, they must submit a list of presidential electors to the Office of the Secretary of State.

The list may be submitted with the Statement of Nomination (see sample list of electors), or may be submitted with a letter of transmittal signed by the presiding officer of the convention, not more than ten (10) days after the convention adjourns.

Verification of Signatures

Upon receipt of the Certificate of Nomination, the filing officer must check the certificate and verify the signatures on the accompanying nominating petition to determine if the requirements of RCW 29.24.030 have been met. Once the determination has been made, the filing officer is required to notify the presiding officer of the convention and any other persons requesting the notification, of his or her decision regarding the sufficiency of the certificate or the nominating petition.

Any appeal regarding the filing officer's determination must be filed with the Superior Court of the county in which the certificate or petitions were filed not later than five (5) days from the date the determination is made. Nominating petitions are not available for public inspection or copying.

The Secretary of State must notify county auditors of the names and designations of all minor party and independent candidates who have filed valid convention certificates and nominating petitions with that office no later than the Friday immediately preceding the first day for candidates to file for office as provided by state law (see RCW 29.24.070).

Declarations of Candidacy

If a nominating certificate is valid, each candidate (except for the positions of President or Vice President) will be eligible to file a Declaration of Candidacy with the filing officer with whom the convention report was filed. It must be accompanied by a fee prescribed for that office (1% of the annual salary).

Persons without adequate financial resources may file a Supplemental Nominating Petition in lieu of the filing fee at the same time they file the Declaration of Candidacy. The Supplemental Nominating Petition must be signed by a number of registered voters equal to the dollar amount of the filing fee* (see sample Supplemental Nominating Petition).

The Declaration of Candidacy must be filed with the appropriate filing officer during the filing period in order for the candidate's name to appear on the primary ballot. The filing period is established by statute as the fourth Monday in July through the following Friday.

****NOTE:** The Supplemental Nominating Petition is not the same as the nominating petition required by RCW 29.24.030. It is a method whereby any candidate, including major party candidates, may qualify for the ballot if they cannot pay the filing fee (see RCW 29.15.050, .060, .070 and .080).*

What Names Appear on the Ballot

The names of candidates of the major political parties, and those independent candidates and candidates of minor parties who have been nominated in the preceding manner, will appear on the partisan primary ballot. Candidates for the positions of President and Vice President will not appear on the presidential primary ballot but will automatically appear on the general election ballot.

A candidate whose name appears on the primary ballot will be certified to have his or her name placed on the general election ballot **if** he or she receives at least one percent (1%) of the **total** votes cast for that position. Additionally, major party candidates must receive more votes than any other candidate of the same political party for that office in order to qualify for the general election ballot.

Nominations by Write-In

Any person desiring to run as an independent or minor party write-in candidate should contact either their County Auditor (in King County the Department of Records and Elections) or the Office of the Secretary of State for information regarding this procedure (see statutes relating to write-in candidacy, p. 15).

Information and Assistance

For additional information and assistance, call your County Auditor or Elections Department (under government listings in your telephone directory), or contact the Office of the Secretary of State.

Elections Division
Office of the Secretary of State
Legislative Building • PO Box 40220
Olympia, Washington 98504-0220
Phone: (360) 902-4151 • Fax: (360) 586-5629
TDD: 1-800-422-8683
E-mail: elections@secstate.wa.gov
Internet: www.secstate.wa.gov/elections/



*If you need this information in an alternate format,
please contact the Office of the Secretary of State at the numbers listed above.*

**Statutes
Regarding
Minor Party and
Independent Candidate
Nominating Procedures**

Statutes Regarding Minor Party & Independent Candidate Nominations

Chapter 29.24 RCW Nominations Other Than By Primary

Sections

29.24.010	Definitions — "Convention" and "election jurisdiction."
29.24.020	Nomination by convention or write-in — Date for convention — Multiple conventions by single party.
29.24.025	Notice of convention.
29.24.030	Requirements for validity of convention.
29.24.035	Nominating petition — Name — Registered voters.
29.24.040	Certificate of nomination — Requisites.
29.24.055	Presidential electors — Selection at convention.
29.24.060	Certificate of nomination — Checking signatures — Appeal of determination.
29.24.070	Declarations of candidacy required, exceptions — Payment of fees.

Special procedures for United States senate vacancy in 1983: Chapter 1, Laws of 1983 3rd ex. sess. (uncodified).

RCW 29.24.010 Definitions — "Convention" and "election jurisdiction." A "convention" for the purposes of this chapter, is an organized assemblage of registered voters representing an independent candidate or candidates or a new or minor political party, organization, or principle. As used in this chapter, the term "election jurisdiction" shall mean the state or any political subdivision or jurisdiction of the state from which partisan officials are elected. This term shall include county commissioner districts or council districts for members of a county legislative authority, counties for county officials who are nominated and elected on a county-wide basis, legislative districts for members of the legislature, congressional districts for members of congress, and the state for president and vice president, members of the United States senate, and state officials who are elected on a state-wide basis. [1977 ex.s. c 329 § 1; 1965 c 9 § 29.24.010. Prior: 1955 c 102 § 2; prior: 1937 c 94 § 2, part; RRS § 5168, part.]

Minor political party defined: RCW 29.01.100.
Registration of voters: Chapter 29.07 RCW.

RCW 29.24.020 Nomination by convention or write-in — Date for convention — Multiple conventions by single party. Any nomination of a candidate for partisan public office by other than a major political party shall only be made either: (1) In a convention held not earlier than the last Saturday in June and not later than the first Saturday in July or during any of the seven days imme-

diately preceding the first day for filing declarations of candidacy as fixed in accordance with RCW 29.68.080; or (2) as provided by RCW 29.51.170. A minor political party may hold more than one convention but in no case shall any such party nominate more than one candidate for any one partisan public office or position. For the purpose of nominating candidates for the offices of president and vice-president, United States senator, or a state-wide office, a minor party or independent candidate holding multiple conventions may add together the number of signatures of different individuals from each convention obtained in support of the candidate or candidates in order to obtain the number required by RCW 29.24.030. For all other offices for which nominations are made, signatures of the requisite number of registered voters must be obtained at a single convention. [1989 c 215 § 2; 1977 ex.s. c 329 § 2; 1965 c 9 § 29.24.020. Prior: 1955 c 102 § 3; prior: (i) 1937 c 94 § 1; RRS § 5167. (ii) 1937 c 94 § 4; RRS § 5170. (iii) 1937 c 94 § 10; RRS § 5170-6. (iv) 1907 c 209 § 26, part; RRS § 5203, part.]

Primaries, when held: RCW 29.13.070.

RCW 29.24.025 Notice of convention. Each minor party or independent candidate must publish a notice in a newspaper of general circulation within the county in which the party or the candidate intends to hold a convention. The notice must appear at least ten days before the convention is to be held, and shall state the date, time, and place of the convention. Additionally, it shall include the mailing address of the person or organization sponsoring the convention. [1989 c 215 § 1.]

RCW 29.24.030 Requirements for validity of convention. (1) To be valid, a convention must be attended by at least twenty-five registered voters.

(2) In order to nominate candidates for the offices of president and vice-president of the United States, United States senator, or any state-wide office, a nominating convention shall obtain and submit to the filing officer the signatures of at least two hundred registered voters of the state of Washington. In order to nominate candidates for any other office, a nominating convention shall obtain and submit to the filing officer the signatures of twenty-five persons who are registered to vote in the jurisdiction of the office for which the nominations are made. [1989 c 215 § 3; 1977 ex.s. c 329 § 3; 1965 c 9 § 29.24.030. Prior: 1955 c 102 § 4; prior: (i) 1937 c 94 § 2, part; RRS § 5168, part. (ii) 1937 c 94 § 3; RRS § 5169.]

RCW 29.24.035 Nominating petition — Name — Registered voters. A nominating petition submitted under this chapter shall clearly identify the name of the minor party or independent candidate convention as it appears on the certificate of nomination as required by *RCW 29.24.030(3). The petition shall also contain a statement that the person signing the petition is a registered voter of the state of Washington and shall have a space for the voter to sign his or her name and to print his or her name and address. No person may sign more than one nominating petition under this chapter for an office for a primary or election. [1989 c 215 § 5.]

***Reviser's note:** The reference to RCW 29.24.030(3) appears to be erroneous. The section governing the certificate of nomination is RCW 29.24.040(3).

RCW 29.24.040 Certificate of nomination — Requirements. A certificate evidencing nominations made at a convention must:

- (1) Be in writing;
- (2) Contain the name of each person nominated, his residence, and the office for which he is named, and if the nomination is for the offices of president and vice-president of the United States, a sworn statement from both nominees giving their consent to the nomination;
- (3) Identify the minor political party or the independent candidate on whose behalf the convention was held;
- (4) Be verified by the oath of the presiding officer and secretary;
- (5) Be accompanied by a nominating petition or petitions bearing the signatures and addresses of registered voters equal in number to that required by RCW 29.24.030;
- (6) Contain proof of publication of the notice of calling the convention; and
- (7) Be submitted to the appropriate filing officer not later than one week following the adjournment of the convention at which the nominations were made. If the nominations are made only for offices whose jurisdiction is entirely within one county, the certificate and nominating petitions must be filed with the county auditor. If a minor party or independent candidate convention nominates any candidates for offices whose jurisdiction encompasses more than one county, all nominating petitions and the convention certificates must be filed with the secretary of state. [1989 c 215 § 4; 1977 ex.s. c 329 § 4; 1965 c 9 § 29.24.040. Prior: 1955 c 102 § 5; prior: 1937 c 94 § 5, part; RRS § 5170-1, part.]

Requirements of candidates for public office under subversive activities act: Chapter 9.81 RCW.

RCW 29.24.055 Presidential electors — Selection at convention. A minor political party or independent candidate convention nominating candidates for the offices of president and vice-president of the United States

shall, not later than ten days after the adjournment of the convention, submit a list of presidential electors to the office of the secretary of state. The list shall contain the names and the mailing addresses of the persons selected and shall be verified by the presiding officer of the convention. [1989 c 215 § 6.]

RCW 29.24.060 Certificate of nomination — Checking signatures — Appeal of determination. Upon the receipt of the certificate of nomination, the officer with whom it is filed shall check the certificate and canvass the signatures on the accompanying nominating petitions to determine if the requirements of RCW 29.24.030 have been met. Once the determination has been made, the filing officer shall notify the presiding officer of the convention and any other persons requesting the notification, of his or her decision regarding the sufficiency of the certificate or the nominating petitions. Any appeal regarding the filing officer's determination must be filed with the superior court of the county in which the certificate or petitions were filed not later than five days from the date the determination is made, and shall be heard and finally disposed of by the court within five days of the filing. Nominating petitions shall not be available for public inspection or copying. [1989 c 215 § 7; 1977 ex.s. c 329 § 6; 1965 c 9 § 29.24.060. Prior: 1937 c 94 § 6; RRS § 5170-2.]

RCW 29.24.070 Declarations of candidacy required, exceptions — Payment of fees. Not later than the Friday immediately preceding the first day for candidates to file, the secretary of state shall notify the county auditors of the names and designations of all minor party and independent candidates who have filed valid convention certificates and nominating petitions with that office. Except for the offices of president and vice-president, persons nominated under this chapter shall file declarations of candidacy as provided by RCW 29.15.010 and 29.15.030. The name of a candidate nominated at a convention shall not be printed upon the primary ballot unless he pays the fee required by law to be paid by candidates for the same office to be nominated at a primary. [1990 c 59 § 103; 1989 c 215 § 8; 1977 ex.s. c 329 § 7; 1965 c 9 § 29.24.070. Prior: 1955 c 102 § 7; prior: (i) 1937 c 94 § 7, part; RRS § 5170-3, part. (ii) 1907 c 209 § 26, part; RRS § 5203, part.]

Intent – Effective date – 1990 c 59: See notes following RCW 29.01.006.

Statutes Regarding Declarations of Candidacy & Filing Fees

Chapter 29.15 RCW (Partial) Filing For Office

Sections

29.15.010	Declaration and affidavit of candidacy.
29.15.020	Declaration of candidacy — Certain offices, when filed.
29.15.025	Qualifications for filing, appearance on ballot.
29.15.026	Information on geographical boundaries.
29.15.030	Declaration of candidacy — Where filed — Copy to public disclosure commission.
29.15.040	Declaration of candidacy — Filing by mail.
29.15.050	Declaration — Fees and petitions.
29.15.060	Nominating petition — Form.
29.15.070	Petitions — Rejection — Acceptance, canvass of signatures — Judicial review.

RCW 29.15.010 Declaration and affidavit of candidacy. A candidate who desires to have his or her name printed on the ballot for election to an office other than president of the United States, vice-president of the United States, or an office for which ownership of property is a prerequisite to voting shall complete and file a declaration and affidavit of candidacy. The secretary of state shall adopt, by rule, a declaration of candidacy form for the office of precinct committee officer and a separate standard form for candidates for all other offices filing under this chapter. Included on the standard form shall be:

- (1) A place for the candidate to declare that he or she is a registered voter within the jurisdiction of the office for which he or she is filing, and the address at which he or she is registered;
- (2) A place for the candidate to indicate the position for which he or she is filing;
- (3) A place for the candidate to indicate a party designation, if applicable;
- (4) A place for the candidate to indicate the amount of the filing fee accompanying the declaration of candidacy or for the candidate to indicate that he or she is filing a nominating petition in lieu of the filing fee under RCW 29.15.050;
- (5) A place for the candidate to sign the declaration of candidacy, stating that the information provided on the form is true and swearing or affirming that he or she will support the Constitution and laws of the United States and the Constitution and laws of the state of Washington.

The secretary of state may require any other information on the form he or she deems appropriate to facilitate the filing process. [1990 c 59 § 82.]

RCW 29.15.020 Declaration of candidacy — Certain

offices, when filed. Except where otherwise provided by this title, declarations of candidacy for the following offices shall be filed during regular business hours with the filing officer no earlier than the fourth Monday in July and no later than the following Friday in the year in which the office is scheduled to be voted upon:

(1) Offices that are scheduled to be voted upon for full terms or both full terms and short terms at, or in conjunction with, a state general election; and

(2) Offices where a vacancy, other than a short term, exists that has not been filled by election and for which an election to fill the vacancy is required in conjunction with the next state general election.

This section supersedes all other statutes that provide for a different filing period for these offices. [1990 c 59 § 81; 1986 c 167 § 8; 1984 c 142 § 2. Formerly RCW 29.18.025.]

Severability — 1986 c 167: See note following RCW 29.01.055.

Intent — 1984 c 142: "It is the intention of the legislature that this act shall provide an equitable qualifying procedure for candidates who, at the time of filing, lack sufficient assets or income to pay the filing fees otherwise required of candidates for public office." [1984 c 142 § 1.] For codification of 1984 c 142, see Codification Tables, Volume 0.

RCW 29.15.025 Qualifications for filing, appearance on ballot. (1) A person filing a declaration and affidavit of candidacy for an office shall, at the time of filing, be a registered voter and possess the qualifications specified by law for persons who may be elected to the office.

(2) The name of a candidate for an office shall not appear on a ballot for that office unless, except as provided in RCW 3.46.067 and 3.50.057, the candidate is, at the time the candidate's declaration and affidavit of candidacy is filed, properly registered to vote in the geographic area represented by the office. For the purposes of this section, each geographic area in which registered voters may cast ballots for an office is represented by that office. If a person elected to an office must be nominated from a district or similar division of the geographic area represented by the office, the name of a candidate for the office shall not appear on a primary ballot for that office unless the candidate is, at the time the candidate's declaration and affidavit of candidacy is filed, properly registered to vote in that district or division. The officer with whom declarations and affidavits of candidacy must be filed under this title shall review each such declaration filed

regarding compliance with this subsection.

(3) This section does not apply to the office of a member of the United States congress. [1999 c 298 § 9; 1993 c 317 § 10; 1991 c 178 § 1. Formerly RCW 29.18.021.]

Severability — Effective date — 1993 c 317: See notes following RCW 3.46.155.

RCW 29.15.026 Information on geographical boundaries. (1) The legislative authority of each county and each city, town, and special purpose district which lies entirely within the county shall provide the county auditor accurate information describing its geographical boundaries and the boundaries of its director, council, or commissioner districts and shall ensure that the information provided to the auditor is kept current.

(2) A city, town, or special purpose district that lies in more than one county shall provide the secretary of state accurate information describing its geographical boundaries and the boundaries of its director, council, or commissioner districts and shall ensure that the information provided to the secretary is kept current. The secretary of state shall promptly transmit to each county in which a city, town, or special purpose district is located information regarding the boundaries of that jurisdiction which is provided to the secretary. [1991 c 178 § 2. Formerly RCW 29.04.220.]

RCW 29.15.030 Declaration of candidacy — Where filed — Copy to public disclosure commission. Declarations of candidacy shall be filed with the following filing officers:

(1) The secretary of state for declarations of candidacy for state-wide offices, United States senate, and United States house of representatives;

(2) The secretary of state for declarations of candidacy for the state legislature, the court of appeals, and the superior court when voters from a district comprising more than one county vote upon the candidates;

(3) The county auditor for all other offices. For any nonpartisan office, other than judicial offices, where voters from a district comprising more than one county vote upon the candidates, a declaration of candidacy shall be filed with the county auditor of the county in which a majority of the registered voters of the district reside.

Each official with whom declarations of candidacy are filed under this section, within one business day following the closing of the applicable filing period, shall forward to the public disclosure commission a copy of each declaration of candidacy filed in his office during such filing period or a list containing the name of each candidate who files such a declaration in his office during such filing period together with a precise identification

of the position sought by each such candidate and the date on which each such declaration was filed. Such official, within three days following his receipt of any letter withdrawing a person's name as a candidate, shall also forward a copy of such withdrawal letter to the public disclosure commission. [1990 c 59 § 84; 1977 ex.s. c 361 § 30; 1975-'76 2nd ex.s. c 112 § 1; 1965 c 9 § 29.18.040. Prior: 1907 c 209 § 7; RRS § 5184. Formerly RCW 29.18.040.]

Effective date — Severability — 1977 ex.s. c 361: See notes following RCW 29.01.006.

Construction — 1975-'76 2nd ex.s. c 112: RCW 42.17.945.

Severability — 1975-'76 2nd ex.s. c 112: RCW 42.17.912.

Precinct committee officer, filing of declaration of candidacy with county auditor: RCW 29.42.040.

Public disclosure — Campaign finances, lobbying, records: Chapter 42.17 RCW.

RCW 29.15.040 Declaration of candidacy — Filing by mail. Any candidate may mail his or her declaration of candidacy for an office to the filing officer. Such declarations of candidacy shall be processed by the filing officer in the following manner:

(1) Any declaration received by the filing officer by mail before the tenth business day immediately preceding the first day for candidates to file for office shall be returned to the candidate submitting it, together with a notification that the declaration of candidacy was received too early to be processed. The candidate shall then be permitted to resubmit his or her declaration of candidacy during the filing period.

(2) Any properly executed declaration of candidacy received by mail on or after the tenth business day immediately preceding the first day for candidates to file for office and before the close of business on the last day of the filing period shall be included with filings made in person during the filing period. In partisan and judicial elections the filing officer shall determine by lot the order in which the names of those candidates shall appear upon sample and absentee primary ballots.

(3) Any declaration of candidacy received by the filing officer after the close of business on the last day for candidates to file for office shall be rejected and returned to the candidate attempting to file it. [1987 c 110 § 2; 1986 c 120 § 2. Formerly RCW 29.18.045.]

Precinct committee officer, declaration of candidacy, fee: RCW 29.42.040, 29.42.050.

RCW 29.15.050 Declaration — Fees and petitions. A filing fee of one dollar shall accompany each declaration

of candidacy for precinct committee officer; a filing fee of ten dollars shall accompany the declaration of candidacy for any office with a fixed annual salary of one thousand dollars or less; a filing fee equal to one percent of the annual salary of the office at the time of filing shall accompany the declaration of candidacy for any office with a fixed annual salary of more than one thousand dollars per annum. No filing fee need accompany a declaration of candidacy for any office for which compensation is on a per diem or per meeting attended basis.

A candidate who lacks sufficient assets or income at the time of filing to pay the filing fee required by this section shall submit with his or her declaration of candidacy a nominating petition. The petition shall contain not less than a number of signatures of registered voters equal to the number of dollars of the filing fee. The signatures shall be of voters registered to vote within the jurisdiction of the office for which the candidate is filing.

When the candidacy is for:

(1) A legislative or judicial office that includes territory from more than one county, the fee shall be paid to the secretary of state for equal division between the treasuries of the counties comprising the district.

(2) A city or town office, the fee shall be paid to the county auditor who shall transmit it to the city or town clerk for deposit in the city or town treasury. [1999 c 298 § 10; 1999 c 157 § 2; 1990 c 59 § 85; 1987 c 295 § 2; 1984 c 142 § 4; 1965 c 9 § 29.18.050. Prior: 1909 c 82 § 2; 1907 c 209 § 5; RRS § 5182. Formerly RCW 29.18.050.]

Intent — 1984 c 142: See note following RCW 29.15.020.

Precinct committee officer, declaration of candidacy, fee: RCW 29.42.040, 29.42.050.

RCW 29.15.060 Nominating petition — Form. The nominating petition authorized by RCW 29.15.050 shall be printed on sheets of uniform color and size, shall contain no more than twenty numbered lines, and shall be in substantially the following form:

WARNING

Any person who signs this petition with any other than his or her true name, or who knowingly (1) signs more than one petition for any single candidate, (2) signs the petition when he or she is not a legal voter, or (3) makes any false statement may be subject to fine, or imprisonment, or both.

We, the undersigned registered voters of (the state of Washington or the political subdivision for which

the nomination is made) , hereby petition that the name
the nomination is made) , hereby petition that the name
of (candidate's name) be printed on the official primary
ballot for the office of (insert name of office) .

Signature	Printed Name	Residence Address	City	County
1 — — — — —	— — — — —	— — — — —	— — — — —	— — — — —
2 — — — — —	— — — — —	— — — — —	— — — — —	— — — — —
3 — — — — —	— — — — —	— — — — —	— — — — —	— — — — —
etc.				

[1984 c 142 § 5. Formerly RCW 29.18.053.]

Intent — 1984 c 142: See note following RCW 29.15.020.

RCW 29.15.070 Petitions — Rejection — Acceptance, canvass of signatures — Judicial review. Nominating petitions may be rejected for the following reasons:

- (1) The petition is not in the proper form;
- (2) The petition clearly bears insufficient signatures;
- (3) The petition is not accompanied by a declaration of candidacy;
- (4) The time within which the petition and the declaration of candidacy could have been filed has expired.

If the petition is accepted, the officer with whom it is filed shall canvass the signatures contained on it and shall reject the signatures of those persons who are not registered voters and the signatures of those persons who are not registered to vote within the jurisdiction of the office for which the nominating petition is filed. He or she shall additionally reject any signature that appears on the nominating petitions of two or more candidates for the same office and shall also reject, each time it appears, the name of any person who signs the same petition more than once.

If the officer with whom the petition is filed refuses to accept the petition or refuses to certify the petition as bearing sufficient valid signatures, the person filing the petition may appeal that action to the superior court. The application for judicial review shall take precedence over other cases and matters and shall be speedily heard and determined. [1984 c 142 § 6. Formerly RCW 29.18.055.]

Intent --1984 c 142: See note following RCW 29.15.020.

Statutes Regarding Write-in Candidacy

RCW 29.04.180 Write-in voting — Candidates, declaration. Any person who desires to be a write-in candidate and have such votes counted at a primary or election may, if the jurisdiction of the office sought is entirely within one county, file a declaration of candidacy with the county auditor not later than the day before the primary or election. If the jurisdiction of the office sought encompasses more than one county the declaration of candidacy shall be filed with the secretary of state not later than the day before the primary or election. Declarations of candidacy for write-in candidates must be accompanied by a filing fee in the same manner as required of other candidates filing for the office as provided in RCW 29.15.050.

Votes cast for write-in candidates who have filed such declarations of candidacy and write-in votes for persons appointed by political parties pursuant to RCW 29.18.160 need only specify the name of the candidate in the appropriate location on the ballot in order to be counted. Write-in votes cast for any other candidate, in order to be counted, must designate the office sought and position number or political party, if applicable. In order for write-in votes to be valid in jurisdictions employing optical-scan mark sense ballot systems the voter must complete the proper mark next to the write-in line for that office.

No person may file as a write-in candidate where:

(1) At a general election, the person attempting to file either filed as a write-in candidate for the same office at the preceding primary or the person's name appeared on the ballot for the same office at the preceding primary;

(2) The person attempting to file as a write-in candidate has already filed a valid write-in declaration for that primary or election, unless one or the other of the two filings is for the office of precinct committeeperson;

(3) The name of the person attempting to file already appears on the ballot as a candidate for another office, unless one of the two offices for which he or she is a candidate is precinct committeeperson.

The declaration of candidacy shall be similar to that required by RCW 29.15.010. No write-in candidate filing under RCW 29.04.180 may be included in any voter's pamphlet produced under *chapter 29.80 RCW unless that candidate qualifies to have his or her name printed on the general election ballot. The legislative authority of any jurisdiction producing a local voter's pamphlet under chapter 29.81A RCW may provide, by ordinance, for the inclusion of write-in candidates in such pamphlets. [1999 c 157 § 1; 1995 c 158 § 1; 1990 c 59 § 100; 1988 c 181 § 1.]

***Reviser's note:** Chapter 29.80 RCW was repealed by 1999 c 260 § 13. For later enactment, see chapter 29.81 RCW.

Intent — Effective date — 1990 c 59: See notes following RCW 29.01.006.

RCW 29.04.190 Write-in candidates — Notice to auditors, ballot counters. The secretary of state shall notify each county auditor of any declarations filed with the secretary under RCW 29.04.180 for offices appearing on the ballot in that county. The county auditor shall ensure that those persons charged with counting the ballots for a primary or election are notified of all valid write-in candidates before the tabulation of those ballots. [1988 c 181 § 2.]

RCW 29.62.180 Write-in voting — Declaration of candidacy — Counting of vote.

(1) For any office at any election or primary, any voter may write in on the ballot the name of any person for an office who has filed as a write-in candidate for the office in the manner provided by RCW 29.04.180 and such vote shall be counted the same as if the name had been printed on the ballot and marked by the voter. No write-in vote made for any person who has not filed a declaration of candidacy pursuant to RCW 29.04.180 is valid if that person filed for the same office, either as a regular candidate or a write-in candidate, at the preceding primary. Any abbreviation used to designate office, position, or political party shall be accepted if the canvassing board can determine, to their satisfaction, the voter's intent.

(2) The number of write-in votes cast for each office must be recorded and reported with the canvass for the election.

(3) Write-in votes cast for an individual candidate for an office need not be tallied if the total number of write-in votes cast for the office is not greater than the number of votes cast for the candidate apparently nominated or elected, and the write-in votes could not have altered the outcome of the primary or election. In the case of write-in votes for state-wide office or for any office whose jurisdiction encompasses more than one county, write-in votes for an individual candidate must be tallied whenever the county auditor is notified by either the office of the secretary of state or another auditor in a multicounty jurisdiction that it appears that the write-in votes could alter the outcome of the primary or election.

(4) In the case of state-wide offices or jurisdictions that encompass more than one county, if the total number of write-in votes cast for an office within a county is greater than the number of votes cast for a candidate apparently nominated or elected in a primary or election, the auditor shall tally all write-in votes for individual candidates for that office and notify the office of the secretary of state and the auditors of the other counties within the jurisdiction, that the write-in votes for individual candidates should be tallied. [1999 c 157 § 3; 1995 c 158 § 2; 1988 c 181 § 5; 1973 1st ex.s. c 121 § 1; 1967 ex.s. c 109 § 28; 1965 ex.s. c 101 § 14; 1965 c 9 § 29.51.170. Prior: (i) 1931 c 14 § 1; 1909 c 82 § 12; RRS § 5213. (ii) 1933 c 85 § 2; RRS § 5213-2. (iii) 1905 c 39 § 1, part; 1889 p 405 § 15, part; RRS § 5272, part. Formerly RCW 29.51.170.]

Forms and Sample Documents for Nominating Minor Party and Independent Candidates

Sample Notice of Convention
and
Affidavit of Publication

Affidavit of Publication

STATE OF WASHINGTON }
County of Spokane. } ss.

I, Janice Medlock do solemnly swear that I am the
Principal Clerk of the Review/Chronicle, a newspaper established and

**NOTICE CALLING
NOMINATING CONVENTION**
Pursuant to RCW 29.24.030(2),
a convention is hereby called
for Saturday, July 23, 1988, be-
ginning at 10:00 a.m., to be
held at B. A. Clarke park, cor-
ner of Division and LaCrosse
streets, Spokane, Spokane
County, Washington, to nomi-
nate Ron Paul of Texas as a
candidate of the Libertarian
Party for the office of Presi-
dent of the United States and
Andre Marrou of Nevada as a
candidate of the same party
for the office of Vice President
of the United States, together
with nine individuals as Presi-
dential Electors for the state of
Washington pledged to vote
for them as set forth in RCW
29.71.040.
Dated July 13, 1988
Organization sponsoring con-
vention:
Libertarian Party of
Spokane County
P.O. Box 5245
Spokane, Washington 99205

regularly published, once each Day
{ (Week) }
{ (Day) } in the English language, in and of general circulation in the
City of Spokane, Spokane County, Washington; that said newspaper
has been so established and regularly published and has had said
general circulation continuously for more than six (6) months prior
to the 23rd day of July, 1941; that said newspaper is printed in an of-
fice maintained at its place of publication in the City of Spokane,
Washington; that said newspaper was approved and designated as a
legal newspaper by order of the Superior Court of the State of Wash-
ington for Spokane County on the 23rd day of July, 1941, and that said
order has not been revoked and is in full force and effect; that the
notice attached hereto and which is a part of the proof of publication,
was published in said newspaper one times, the
publication having been made once each issue
from the 13th day of July A. D. 19 88,
to the notice day of notice A. D. 19 88.
That said notice was published in the regular and entire issue
of every number of the paper during the period of time of publica-
tion, and that the notice was published in the newspaper proper and
not in a supplement.

Janice Medlock
Subscribed and sworn to before me at the City of Spokane, this
19 day of July, 19 88

Barbara DeHeer
Notary Public in and for the State of Washington,
residing at Spokane, Wash.

**Consent to Nomination of
Independent & Minor Party Candidates
for President and Vice President**

State of Washington)
) ss
County of _____)

I, _____ residing at
Name
_____ hereby consent to my
Address
nomination as a _____ candidate for the office of
Party Name/Independent
President at a convention held at _____ on _____
City Date

AND I, _____ residing at
Name
_____ hereby consent to my
Address
nomination as a _____ candidate for the office of Vice
Party Name/Independent
President at a convention held at _____ on _____
City Date

We further consent to having our two names placed together on the general election ballot of
the state of Washington as candidates for the offices named above

Signature of Candidate for President

Signature of Candidate for Vice President

Notary's Certification

*I certify that I know or have satisfactory evidence that _____
and _____ signed this instrument and acknowledged it to be
their free and voluntary act for the uses and purposes mentioned in the instrument*

Dated: _____
Notary's Signature

Notary Public in and for the state of Washington, residing at

My commission expires _____

Minor Political Party Nominating Petition

REGISTERED VOTER'S DECLARATION

I, the undersigned, hereby declare, under penalties of law, that I am a registered voter of the state of Washington and that I personally attended the nominating convention of the _____ held in the city of _____

Name of Political Party

_____ on _____ .

City

Date

I request that this declaration be considered as part of the nominating petition for each candidate nominated by the above named convention for whom I am legally entitled to vote.

The address at which I am *registered for voting** is as follows:

Street & Number or Rural Route

City or Town

County

Signature

Print Name for Positive Identification

****NOTE: It is essential that you provide the correct address where you are **registered for voting**. Election officers will use this information to verify your registration status. A mistake in your address information could cause your declaration to be disqualified.***

Independent Candidate Nominating Petition

REGISTERED VOTER'S DECLARATION

I, the undersigned, hereby declare, under penalties of law, that I am a registered voter of the state of Washington and that I personally attended the nominating convention of

Name(s) of Independent Candidate(s)

held in the city of _____ on _____.

City

Date

I request that this declaration be considered as part of the nominating petition for each candidate nominated by the above named convention for whom I am legally entitled to vote.

The address at which I am *registered for voting** is as follows:

Street & Number or Rural Route

City or Town

County

Signature

Print Name for Positive Identification

****NOTE: It is essential that you provide the correct address where you are **registered for voting**. Election officers will use this information to verify your registration status. A mistake in your address information could cause your declaration to be disqualified.***

Sample Statement of Nomination

This is to certify that a Premium Party convention of no less than twenty-five (25) registered voters was held at Pike Street and Third Avenue, Seattle, Washington, on June 27, 1998, commencing at the hour of 10:00 a.m., for the purpose of placing a candidate in nomination for the primary to be held on September 15, 1998.

The following person was nominated by this convention:

For the office of State Senator, 45th Legislative District:

Dale Wilson
222 South Main Street
Seattle, Washington 98144

Included as part of this certificate of nomination are declarations signed by at least twenty-five (25) registered voters who were present at the convention. The declarations include the voting address of all signers.

Also included as part of this certificate of nomination is an affidavit of publication showing proof of publication of the notice calling the convention.

The convention adjourned at 2:00 p.m. on June 27, 1998.

Mary Jones, Chairperson/Presiding Officer
915 Maple Street
Seattle, WA 98144

Joe Smith, Secretary
123 144th N.E.
Seattle, WA 98144

STATE OF WASHINGTON)
) ss
COUNTY OF _____)

and _____
each being first duly sworn, on oath individually deposes and says, each for himself or herself, that:

They are respectively the presiding officer and secretary of the convention described above. He or she has read the foregoing portion of this certificate together with all the attachments and believes them all to be true.

Dated: _____

Notary's Signature

Notary Public in and for the state of Washington, residing at

My commission expires _____

**Sample Statement of Nomination
of Independent/Minor Party Candidates
for President and Vice President**

We hereby certify that:

On Saturday, June 27, 1998, commencing at the hour of 11:30 a.m., a convention was held at Columbia High School, 123 North Street, Olympia, Thurston County, Washington.

The convention was called by publication of a notice in the newspaper, proof of which is attached as part of this certificate.

The purpose of this convention was to nominate candidates for the offices of President of the United States and Vice President of the United States.

The convention was attended by at least two hundred (200) individuals who are registered to vote in the state of Washington.

The following candidates were nominated at the convention:

For the office of
President of the United States:

David White
203 West 5th Street
Olympia, WA 98502

For the office of
Vice President of the United States:

Jane Smith
123 4th Street
Olympia, WA 98501

Following are the names of presidential electors for the state of Washington who were selected by this convention:

Name of Elector

Address of Elector

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____

(Continued next page)

Individual sworn statements of consent for each candidate are included as part of this certification.

Also included as part of this certification are declarations signed by at least two hundred (200) registered voters who were present at the convention. The declarations include the voting addresses of all signers.

The convention adjourned at 5:00 p.m. on June 27, 1998.

John Smith, Chairperson/Presiding Officer
1021 Tenth Avenue
Olympia, WA 98502

Sam Jones, Secretary
215 45th N.E.
Olympia, WA 98503

STATE OF WASHINGTON)
) ss
COUNTY OF _____)

_____ and _____
each being first duly sworn, on oath individually deposes and says, each for himself or herself, that:

They are respectively the presiding officer and secretary of the convention described above. He or she has read the foregoing portion of this certificate together with all the attachments and believes them all to be true.

Dated: _____
Notary's Signature

Notary Public in and for the state of Washington, residing at

My commission expires _____

Supplemental Nominating Petition

(Submitted in lieu of the filing fee required by RCW 29.15.050)

We, the undersigned registered voters of _____

Political Subdivision for Which the Nomination is Made

hereby petition that the name of _____ be printed on the official primary

Candidate's Name

ballot for the office of _____

Name of Office (Including District or Position Number)

WARNING

Any person who signs this petition with any other than his or her true name, or who knowingly (1) signs more than one petition for any single candidate, (2) signs the petition when he or she is not a legal voter or (3) makes any false statement may be subject to fine, or imprisonment, or both.

	SIGNATURE	PRINTED NAME	RESIDENCE ADDRESS	CITY	COUNTY
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

Elections Division
Office of the Secretary of State
Legislative Building
PO Box 40220
Olympia, WA 98504-0220

January 2000